



महाराष्ट्र शासन राजपत्र

भाग चार-ब

वर्ष ५, अंक ६]

गुरुवार ते बुधवार, फेब्रुवारी ७-१३, २०१९/माघ १८-२४, शके १९४०

[पृष्ठे ३८, किंमत : रुपये २०.००

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमांच्ये तयार केलेले (भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

उद्योग, ऊर्जा व कामगार विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मंत्रालय,
मुंबई ४०० ०३२, दिनांक ५ फेब्रुवारी २०१९

अधिसूचना

महाराष्ट्र औद्योगिक विकास अधिनियम, १९६१.

क्र. आयडीसी २०१८/(प्र.क्र. ८९)/उद्योग १४.—ज्याअर्थी, अनुसूचीत उल्लेखिलेल्या क्षेत्रात महाराष्ट्र औद्योगिक विकास अधिनियम, १९६१ (१९६२ चा महा. तीन) च्या तरतुदीनुसार प्रकरण सहा, जे अधिसूचना क्रमांक आयडीसी २१२१/१९६५/उ-१४, दिनांक १८ जून २००१ महाराष्ट्र शासनाने सदर अधिसूचनेच्या अनुसूचीत उल्लेखिलेल्या क्षेत्रात महाराष्ट्र औद्योगिक विकास अधिनियम, १९६१ चे (सन १९६२ चा महाराष्ट्र अधिनियम तीन) (यापुढे ज्याचा उल्लेख “ उक्त क्षेत्र ” असा करण्यात येईल) कलम सहा, दिनांक २९ जून २००१ रोजी अंमलात आणले होते व उक्त अधिनियमाच्या आधारे मौजे शेवगाव, तालुका शेवगाव, जिल्हा अहमदनगर येथील उक्त अनुसूचीत नमूद केलेले क्षेत्र अधिनियमाच्या कलम २, खंड (ग) अन्वये औद्योगिक क्षेत्र म्हणून जाहीर केलेले आहे ;

आणि ज्याअर्थी, यासोबत जोडलेल्या अनुसूचीत उल्लेखिलेल्या मौजे शेवगाव, तालुका शेवगाव, जिल्हा अहमदनगर येथील काही जमिनी अधिसूचनेच्या अनुसूचीत उल्लेखिलेल्या क्षेत्रात औद्योगिक क्षेत्राच्या विकासासाठी आवश्यक नाहीत असे महाराष्ट्र सरकारचे मत झाले आहे.

त्याअर्थी, उक्त अधिनियमाच्या कलम १, पोट-कलम (३) व कलम २, खंड (ग) अन्वये प्रदान केलेल्या शक्तीचा वापर करून व महाराष्ट्र जनरल क्लॉजेस ॲक्ट च्या कलम २१ सह वाचावे (१९०४ चा -१) चा संदर्भ घेऊन महाराष्ट्र शासन याद्वारे खालील उल्लेख केलेल्या क्षेत्रात ज्या गोष्टी झाल्या आहेत किंवा ज्या गोष्टी करावयाच्या ठरविल्या आहेत त्या सोडून महाराष्ट्र औद्योगिक विकास अधिनियम, १९६१ चे कलम प्रकरण सहा, दिनांक ५ फेब्रुवारी २०१९ पासून रद्द करीत आहे, आणि सदर क्षेत्र हे जाहीर केलेल्या औद्योगिक क्षेत्राचा भाग राहणार नाही.

अनुसूची

मौजे शेवगाव, तालुका शेवगाव, जिल्हा अहमदनगर

अ. क्र.	गट नं.	एकूण क्षेत्र (हे. आर)
१	१३६९/१	१.६४
२	१३६९/२	१.६३
३	१३७०/५	१.५०
४	१३७२/२	१.०५
५	१३७२/३	१.०५
६	१३७२	७.७२
७	१३७४ पैकी	२.००
८	१३७५ पैकी	३.५०
९	१३८९ पैकी	२.००
१०	१३९०/१ पैकी	१.०५
११	१३९०/२	०.०३
१२	१३९२ पैकी	१.२०
एकूण ...		२४.३८

चतुःसीमा.—

उत्तरस : पाथर्डी-शेवगाव रस्ता, मौजे शेवगाव गट नं. १३७२/१, १३७०/१, २ व ३ व १३९१/१ पैकी.

दक्षिणस : मौजे शेवगाव गट नं. १३६२, १३६५, १३६६, १३६७ व १३६८.

पूर्वस : मौजे शेवगाव गट नं. १३७०/४, १३७२/१ व १३२४.

पश्चिमस : मौजे शेवगाव गट नं. १३९२ पैकी, १३९०/१ पैकी, १३८९ पैकी व १३७५ पैकी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

अनिलकुमार रा. उगले,
कार्यासन अधिकारी.

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk,
Mantralaya, Mumbai 400 032, dated the 5th February 2019

NOTIFICATION**MAHARASHTRA INDUSTRIAL DEVELOPMENT ACT, 1961.**

No. IDC 2018/(C.R.89)/IND 14.—Whereas, by the Government Notification, Industries, Energy and Labour Department, No. IDC. 2121/7165/Ind-14, dated the 18th June, 2001, issued under sub-section (3) of section 1 of the Maharashtra Industrial Development Act, 1961 (Mah.III of 1962) (hereinafter referred to as “the said Act”), the Government of Maharashtra has appointed the 29th June, 2001, to be the date from which the provisions of Chapter VI of the said Act shall take effect in certain areas in village Shevgaon in Taluka Shevgaon, District Ahmednagar, mentioned in the Schedule appended to the said notification and declared the said area as an industrial area under clause (g) of section 2 of the said Act ;

And whereas, the Government of Maharashtra is of the opinion that the said areas of the village Shevgaon in Taluka Shevgaon, District Ahmednagar, mentioned in the Schedule appended hereto are not required for the purpose of development as an industrial area.

Now, therefore, in exercise of the powers conferred by the first proviso to sub-section (3) of section 1 and clause (g) of section 2 of the said Act read with section 21 of the Maharashtra General Clauses Act (I of 1904) and of all other powers enabling it in this behalf, the Government of Maharashtra hereby, with effect from the 5th February, 2019 declares that the provisions of Chapter VI of the said Act shall cease to be in force in the said areas and the said areas shall not be the industrial area so declared, except as respects things done or omitted to be done before that date.

Schedule

Village Shevgaon, Taluka Shevgaon, District Ahmednagar

Sr. No.	Gat No.	Area (Hectare Are)
1	1369/1	1.64
2	1369/2	1.63
3	1370/5	1.50
4	1372/2	1.05
5	1372/3	1.05
6	1373	7.73
7	1374 Pt.	2.00
8	1375 Pt.	3.50
9	1389 Pt.	2.00
10	1390/1 Pt.	1.05
11	1390/2	0.03
12	1392 Pt.	1.20
Total ...		24.38

Boundaries.—

On the by North : Phathardi-Shevgaon road Gat No. 1372/1, 1370/1,2 & 3 & 1391/1 Pt. of Village Shevgaon.

On the by South : Gat No. 1362, 1365, 1366, 1367 & 1368 Village of Shevgaon.

On the by East : Gat No. 1370/4, 1372/1 & 1324 Village of Shevgaon.

On the by West : Gat No. 1392 Pt., 1390/1 Pt., 1389 Pt., 1374 Pt. & 1375 Pt. Village of Shevgaon.

By order and in the name of the Governor of Maharashtra,

ANILKUMAR R. UGALE,
Section Officer.

पुढील अधिसूचना, इत्यादी असाधारण राजपत्र म्हणून त्यांच्यापुढे दर्शविलेल्या दिनांकांना प्रसिद्ध झाल्या आहेत :—

१२२

बुधवार, एप्रिल २०, २०१६/चैत्र ३१, शके १९३८

वित्त विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मंत्रालय, मुंबई ४०० ०३२, दिनांक २० एप्रिल २०१६

अधिसूचना

महाराष्ट्र मूल्यवर्धित कर अधिनियम, २००२.

क्रमांक मूवक. १५१६/प्र.क्र. ६१/कराधान-१.—महाराष्ट्र मूल्यवर्धित कर अधिनियम, २००२ (२००५ चा महा. ९) च्या कलम ९ च्या उप-कलम (१) अन्वये प्राप्त झालेल्या अधिकारांचा वापर करून, महाराष्ट्र शासन, याद्वारे उक्त अधिनियमास जोडलेल्या अनुसूची 'क' मध्ये, दिनांक १ एप्रिल २०१६ पासून खालीलप्रमाणे सुधारणा करीत आहे, म्हणजेच :—

अनुसूची क मध्ये, नोंद ५१ च्या, स्तंभ (२) मध्ये, उपनोंद (सात) ऐवजी खालील उप-नोंद दाखल करण्यात येत आहे, म्हणजेच :—
“(सात) टॉवेल”.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

रा. द. भगत,

शासनाचे उप सचिव.

FINANCE DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk,
Mantralaya, Mumbai 400 032, dated the 20th April 2016

NOTIFICATION**MAHARASHTRA VALUE ADDED TAX ACT, 2002.**

No. VAT. 1516/CR 61/Taxation-1.—In exercise of the powers conferred by sub-section (1) of section 9 of the Maharashtra Value Added Tax Act, 2002 (Mah. IX of 2005), the Government of Maharashtra hereby, with effect from the 1st April 2016 amends Schedule 'A' appended to the said Act, as follows, Namely :—

In Schedule A Maharashtra Value Added Tax Act, 2002, in entry 51, in column (2), for sub-entry (vii), the following sub-entry shall be substituted, namely :—

“(vii) Towels.”

By order and in the name of the Governor of Maharashtra,

R. D. BHAGAT,
Deputy Secretary to Government.

१२३

गुरुवार, एप्रिल २१, २०१६/वैशाख १, शके १९३८

विधि व न्याय विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मंत्रालय,
मुंबई ४०० ०३२, दिनांक २१ एप्रिल २०१६

अधिसूचना

महाराष्ट्र अधिवक्ता कल्याण निधी (सुधारणा) अधिनियम, २०१५.

क्रमांक सीसीएस. २०१४/६२/प्र.क्र.२९अ/का-१९.—महाराष्ट्र अधिवक्ता कल्याण निधी (सुधारणा) अधिनियम, २०१५ (२०१५ चा महा. ४६) याच्या कलम १च्या पोट-कलम (२) द्वारे प्रदान करण्यात आलेल्या अधिकारांचा वापर करून, महाराष्ट्र शासन, याद्वारे, उक्त अधिनियम अंमलात आणण्यासाठी १ मे २०१६ हा दिनांक नेमून देत आहे.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने,

रा. द. सावंत,
शासनाचे विधि सल्लागार-नि-सहसचिव.

LAW AND JUDICIARY DEPARTMENT

Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated the 21st April 2016

NOTIFICATION**MAHARASHTRA ADVOCATES WELFARE FUND (AMENDMENT) ACT, 2015.**

No. CCA.2014/62/C.R. 29A/D-19.—In exercise of the powers conferred by sub-section (2) of section 1 of the Maharashtra Advocates Welfare Fund (Amendment) Act, 2015 (Mah. XLVI of 2015) the Government of Maharashtra hereby appoints the 1st May 2016 to be the date on which the said Act shall come into force.

By order and in the name of the Governor of Maharashtra,

R. D. SAWANT,
Legal Advisor-cum-Joint Secretary to Government.

१२४

गुरुवार, एप्रिल २१, २०१६/वैशाख १, शके १९३८

महसूल व वन विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मंत्रालय,
मुंबई ४०० ०३२, दिनांक २१ एप्रिल २०१६.

अधिसूचना

भूमिसंपादन व पुनर्वसन व पुनर्वसाहत करताना उचित भरपाई मिळण्याचा आणि पारदर्शकतेचा हक्क अधिनियम, २०१३.

क्रमांक एलक्यूएन-१२/२०१३/प्र.क.१९०/अ-२(भाग-१६).—भूमिसंपादन, पुनर्वसन व पुनर्वसाहत करताना उचित भरपाई मिळण्याचा आणि पारदर्शकतेचा हक्क अधिनियम, २०१३ (२०१३ चा ३०) याच्या कलम १०९ ची पोट-कलमे (१) व (२) यांद्वारे प्रदान करण्यात आलेल्या आणि याबाबतीत त्यास समर्थ करणा-या इतर सर्व अधिकारांचा वापर करून व उक्त अधिनियमाच्या कलम ११२ अन्वये पूर्वप्रसिद्धी देण्यात आल्यानुसार महाराष्ट्र शासन भूमिसंपादन, पुनर्वसन व पुनर्वसाहत करताना उचित भरपाई मिळण्याचा व पारदर्शकतेचा हक्क (महाराष्ट्र) (सुधारणा) नियम, २०१४ मधील सुधारणा खालीलप्रमाणे प्रसिद्ध करीत आहे जसे की,—

१. या नियमांना, भूमिसंपादन, पुनर्वसन व पुनर्वसाहत करताना उचित भरपाई मिळण्याचा व पारदर्शकतेचा हक्क (महाराष्ट्र) (सुधारणा) नियम, २०१६ असे म्हणावे.

२. भूमिसंपादन, पुनर्वसन व पुनर्वसाहत करताना उचित भरपाई मिळण्याचा व पारदर्शकतेचा हक्क (महाराष्ट्र) नियम, २०१४ (यात यापुढे ज्याचा निर्देश “मूळ नियम” असा करण्यात आला आहे.) याच्या नियम ७ ऐवजी पुढील नियम दाखल करण्यात येईल :—

“७. विविध शाखेतील तज्ज्ञ गट :—(१) समुचित शासन, अधिनियमाच्या कलम ७ च्या पोट-कलम (१) अन्वये तरतूद केल्याप्रमाणे विविध शाखेतील तज्ज्ञ गट गठित करील. हा तज्ज्ञ गट पुढील व्यक्तींचा मिळून बनलेला असेल :—

(क) दोन अशासकीय समाजशास्त्रज्ञ ;

(ख) यथास्थिति पंचायती, ग्रामसभा, नगरपालिका किंवा महानगरपालिका यांचे दोन प्रतिनिधी ;

(ग) पुनर्वसन क्षेत्रातील दोन तज्ज्ञ ; आणि

(घ) प्रकल्पाशी संबंधित असणा-या विषयातील तंत्रविषयक तज्ज्ञ.

(२) समुचित शासन, तज्ज्ञ गटाच्या सदस्यांमधून एका व्यक्तीला गटाचा अध्यक्ष म्हणून नामनिर्देशित करील.”

३. मुख्य नियमांच्या नियम ८ मध्ये,—

(क) पोट-कलम (१) मधील, “राज्य शासनाच्या” या मजकुराऐवजी “समुचित शासनाच्या” हा मजकूर दाखल करण्यात येईल.

(ख) पोट-कलम (२) मधील, ज्या दोन्ही ठिकाणी “राज्य शासन” हा मजकूर त्याच्या व्याकरणिक फेरफारांसह आला आहे त्या दोन्हीही ठिकाणी “समुचित शासन” हा मजकूर त्याच्या व्याकरणिक फेरफारांसह दाखल करण्यात येईल.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

सु. कि. गावडे,

शासनाचे उप सचिव.

REVENUE AND FORESTS DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk,
Mantralaya, Mumbai 400 032, Dated the 21st April 2016.

NOTIFICATION

RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013.

No. LQN-12/2013/C.R.190/A-2(Part-16).—In exercise of the powers conferred by sub-sections (1) and (2) of section 109 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following rules to amend the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Maharashtra) (Amendment) Rules, 2014, the same having been previously published as required by section 112 of the said Act, namely :—

1. These rules may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Maharashtra) (Amendment) Rules, 2016.

2. For rule 7 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Maharashtra) Rules, 2014 (hereinafter referred to as “the principal Rules”), the following shall be substituted, namely :—

“7. *Multi-disciplinary Expert Group.*—(1) The Appropriate Government shall constitute a multi-disciplinary Expert Group as provided under sub-section (1) of section 7 of the Act. The Expert Group shall consists of,—

(a) two non official social scientists ;

(b) two representatives of *Panchayats, Gram Sabha, Municipality or Municipal Corporation*, as the case may be ;

(c) two experts on rehabilitation ; and

(d) a technical expert in the subject relating to the project.

(2) The Appropriate Government shall nominate a person from amongst the members of the Expert Group as the Chairperson of the Group.”.

3. In rule 8 of the principal Rules,—

(a) in sub-rule (1), for the words “State Government” the words “Appropriate Government” shall be substituted ;

(b) in sub-rule (2), for the words “State Government” the words “Appropriate Government” shall be substituted.

By order and in the name of the Governor of Maharashtra,

S. K. GAWADE,
Deputy Secretary to Government.

महसूल व वन विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मंत्रालय,
मुंबई ४०० ०३२, दिनांक २१ एप्रिल २०१६

अधिसूचना

भूमि संपादन, पुनर्वसन व पुनर्स्थापना करताना उचित भरपाई मिळण्याचा व पारदर्शकतेचा हक्क अधिनियम, २०१३.

क्रमांक एलक्युएन-१२/२०१३/प्र.क्र.१९०/अ-२(भाग-१६).—भूमि संपादन, पुनर्वसन व पुनर्स्थापना करताना उचित भरपाई मिळण्याचा व पारदर्शकतेचा हक्क अधिनियम, २०१३ (२०१३ चा ३०) याच्या कलम १०९ ची पोट-कलमे (१) व (२) याद्वारे प्रदान करण्यात आलेल्या आणि त्यास समर्थ करणा-या इतर सर्व अधिकारांचा वापर करून महाराष्ट्र शासनाने करण्याचे योजिलेल्या भूमि संपादन पुनर्वसन व पुनर्वसाहत करताना उचित भरपाई मिळण्याचा व पारदर्शकतेचा हक्क अधिनियम, २०१४ या नियमांचा पुढील मसुदा हा, बाधा पोहचण्याची शक्यता असलेल्या सर्व व्यक्तींच्या माहितीकरिता उक्त अधिनियमाच्या कलम ११२ द्वारे आवश्यक असल्याप्रमाणे याद्वारे प्रसिद्ध करण्यात येत आहे; आणि याद्वारे अशी नोटीस देण्यात येत आहे की, उक्त मसुदा महाराष्ट्र शासनाकडून * दिनांक २० मे २०१६ रोजी किंवा त्यानंतर विचारात घेण्यात येईल.

२. उपरोक्त दिनांकापूर्वी, उक्त मसुद्याच्या संबंधात, कोणत्याही व्यक्तीकडून ज्या कोणत्याही हरकती किंवा सूचना, सचिव (वने), महसूल व वन विभाग, मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मंत्रालय, मुंबई ४०० ०३२ आणि उप सचिव (पुनर्वसन व पुनर्स्थापना), महसूल व वन विभाग, मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मंत्रालय, मुंबई ४०० ०३२ यांच्याकडे प्राप्त होतील त्या शासन विचारात घेईल.

नियमांचा मसुदा

१. या नियमांना भूमि संपादन, पुनर्वसन व पुनर्स्थापना करताना उचित भरपाई मिळण्याचा आणि पारदर्शकतेचा हक्क (महाराष्ट्र) (तृतीय सुधारणा) नियम, २०१५ असे म्हणावे.

२. भूमि संपादन, पुनर्वसन व पुनर्स्थापना करताना उचित भरपाई मिळण्याचा आणि पारदर्शकतेचा हक्क (महाराष्ट्र) नियम, २०१४ याच्या नियम १४ मध्ये, उप-नियम (१) मध्ये पुढील परंतुक जादा दाखल करण्यात येईल :—

“परंतु, महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १६६६ (१९६६ चा ३७) याच्या तरतुदी अन्वये विकास योजनेतील आरक्षित जागांच्या संपादनाबाबत, त्याचप्रमाणे ५० टक्के किंवा त्याहून अधिक अपूर्ण सिंचन प्रकल्पांसाठीच्या संपादनाबाबत भूमि संपादनाच्या मूल्याच्या ३० टक्के रक्कम उक्त अधिनियमाच्या कलम १९ अन्वये घोषणा प्रसिद्ध होण्यापूर्वी जिल्हाधिका-याच्या कार्यालयात व्याजाशिवाय जमा करण्यात यावी व भूमि संपादनाच्या मूल्याची उर्वरित ७० टक्के रक्कम निवाडा प्रसिद्ध होण्यापूर्वी जमा करण्यात यावी आणि जर अशी रक्कम जमा करण्यात आली नसेल तर उक्त अधिनियमाच्या कलम १९ व २३ अन्वये अनुक्रमे घोषणा करण्यात किंवा निवाडा देण्यात येऊ नये.”

सदर परंतुक नवीन पाटबंधारे प्रकल्पांसाठी लागू होणार नाही.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

सु. कि. गावडे,
शासनाचे उप सचिव.

REVENUE AND FORESTS DEPARTMENT

Hutatma Rajguru Chowk, Madam Cama Marg, Mantralaya,
Mumbai 400 032, Dated 21st April 2016.

NOTIFICATION

RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013.

No. LQN-12/2013/C.R.190/A-2(Part-16).—The following draft of rules further to amend the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Maharashtra) Rules, 2014, which the Government of Maharashtra proposes to make in exercise of the powers conferred by sub-section (1) and (2) of section 109 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013), and of all other powers enabling it in that behalf, is hereby published, as required by section 112 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra on or after the 20 day of May, 2016.

2. Any objections or suggestions which may be received by the Secretary (Forests), Revenue and Forests Department, Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai 400 032, from any person with respect to the said draft before the aforesaid date will be considered by the Government.

DRAFT RULES

1. These rules may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Maharashtra) (Third Amendment) Rules, 2014.

2. In rule 14 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Maharashtra) Rules, 2014, to sub-rule (1), the following proviso shall be added, namely :—

“Provided that, in cases of acquisition of the reserved places in development plan under the provisions of The Maharashtra Regional Town Planning Act, 1966 (37 of 1966) as well as in cases of acquisition for 50 % or more incomplete irrigation projects, 30% of amount of cost of acquisition of land shall be deposited, without interest, in the Collector Office before the publication of the declaration under section 19 of the Act and the remaining 70% amount of cost of acquisition of land shall be deposited before the publication of the award and no declaration or award shall be made under section 19 or 23 of the act, respectively, if such amount is not deposited.”

However, said proviso will not be applicable to the new irrigation projects.

By order and in the name of the Governor of Maharashtra,

S. K. GAWADE,
Deputy Secretary to Government.

१२५

शुक्रवार, एप्रिल २२, २०१६/वैशाख २, शके १९३८

HOME DEPARTMENT

Madam Cama Road, Hutatma Rajguru Chowk,
Mantralaya, Mumbai 400032, dated 22nd April 2016

NOTIFICATION

MAHARASHTRA PROHIBITION OF OBSCENE DANCE IN HOTELS, RESTAURANTS AND BAR ROOMS AND PROTECTION OF DIGNITY OF WOMEN (WORKING THEREIN) ACT, 2016.

No. MIS. 0216/C.R.25/SPL-5.—In exercise of the powers conferred by section 14 of the Maharashtra Prohibition of Obscene Dance in Hotels, Restaurants and Bar Rooms and Protection of Dignity of Women (working therein) Act, 2016 (Mah. Act No. XII of 2016), and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following Rules, namely:—

1. *Short title.*—These rules may be called the Maharashtra Prohibition of Obscene Dance in Hotels, Restaurants and Bar Rooms and Protection of Dignity of Women (working therein) Rules, 2016.

2. *Definitions.*—(1) In these rules, unless the context otherwise requires,-

(a) “Act” means the Maharashtra Prohibition of Obscene Dance in Hotels, Restaurants and Bar Rooms and Protection of Dignity of Women (working therein) Act, 2016 (Mah. XII of 2016);

(b) “criminal record” in relation to an applicant, means the record of criminal offences involving moral turpitude, offences under the Immoral Traffic (Prevention) Act, 1956 (Act No. 104 of 1956) and also includes the offences for which a punishment of two years or more is prescribed under any law for the time being in force;

(c) “Form” means forms appended to these Rules;

(d) “green room” means the space in the establishment which is used as waiting room and lounge for the dancer or artist, before and after the performance;

(e) “licensee” or “holder of licence” includes the Manager or Managers or a person nominated by the licensee;

(f) "Schedule" means Schedule appended to these Rules.

(2) Words and expressions used in these Rules, but not defined hereinabove shall have the same meaning respectively assigned to them under the Act.

3. *Application for licence.*—A person shall be entitled to obtain or hold a licence under these Rules, if he,—

(i) has attained 21 years of age;

(ii) is a citizen of India or a partner of partnership firm registered under the Indian Partnership Act, 1932 or a company registered under the Companies Act, 1956 or the Companies Act, 2013;

(iii) possess a good character and antecedents and shall not have any history of criminal record in the past;

Provided that, the licencing authority shall consider the history of criminal record of the applicant upto ten years before the date of application; and

(iv) complies with the conditions specified in Part-A of the Schedule.

4. *Manner of making application for grant of licence.*—(1) Every application for licence under sub-section (1) of section 6 of the Act shall be made to the concerned licensing authority in Form I.

(2) Every application under sub-rule (1) shall be accompanied with a demand draft or banker's cheque of rupees ten thousand drawn on a Scheduled Bank in favour of the licensing authority towards payment of site-inspection fee. The fee payable under this sub-rule shall be non-refundable.

(3) Every application referred to in sub-rule (1) shall be either personally delivered to the licensing authority or sent to him by registered post.

(4) On receipt of application referred to sub-rule (1), the licensing authority shall after noting thereon the date of receipt of the application grant an acknowledgement to the applicant.

5. *Grant of licence.*—(1) The licencing authority shall, after receipt of an application under sub-rule (1) of rule 4, either himself or through a police officer, not below the rank of Assistant Police Inspector, carry out the inspection of the establishment and record its report on the suitability of that establishment for grant of licence.

(2) The licensing authority may, after considering the report under sub-rule (1), and after satisfying itself that the conditions for licence as specified in Part-A of the Schedule are complied, direct the applicant to deposit the licence fee specified in rule 6. On deposit of the licence fee, the licensing authority may grant a licence in Form II.

(3) The licence under sub-rule (2) shall be valid for a period of one year from the date of its issue.

6. *Fees.*—(1) The annual fees for grant of licence and renewal of licence shall be as follows:-

(i) within the limits of all Municipal Corporation areas—rupees two lakhs;

(ii) within the limits of (A), (B) and (C) Class Municipal Councils— rupees one lakh seventy five thousand;

(iii) within the limits of any other areas not covered by clause (i) and (ii) above—rupees one lakh fifty thousand.

(2) The fees for licence and renewal of licence shall be payable by demand draft or pay order drawn on a Scheduled Bank, in favour of a licensing authority.

(3) The fees paid for grant of licence and renewal of licence shall be non-refundable.

7. *The licensee to observe the terms and conditions throughout the licence period.*—(1) The licensee shall observe the terms and conditions specified in the Schedule throughout the period of licence.

(2) During the period of licence, the licensing authority, or the police officer not below the rank of Police Sub-Inspector of the concerned police station may, with a view to ensure that the provisions of the Act, the rules and the terms and conditions of the licence are duly observed, inspect the place for which the licence under the rules has been granted.

8. *Renewal of licence.*—(1) The licence issued under these rules may, on an application by the licensee in Form-I, be renewed for a further period of one year.

(2) Every licensee shall apply to the licensing authority for renewal of the licence a month before its expiry.

(3) The renewal of licence shall be subject to the conditions specified in Schedule.

9. *Appeal, revision and its procedure.*—(1) Every appeal under section 10 and every revision under section 11 of the Act shall be preferred by the aggrieved person to the Appellate Committee or the Revisional Authority, as the case may be, in person or by registered post within one hundred eighty days from the date of receipt of such order. Such appeal or application shall state precisely the ground or grounds on which it has been preferred:

Provided that, the Appellate Committee or the Revisional Authority, as the case may be, may entertain the appeal or revision, as the case may be, after the expiry of the said period of one hundred and eighty days, if it is satisfied that the appellant was prevented by a sufficient cause from filing the appeal or revision in time.

(2) The fees for the appeal to be filed under section 10 and revision to be filed under section 11 of the Act shall be rupees one thousand and shall be payable by demand draft or pay order drawn on any Scheduled Bank drawn in favour of Desk Officer, Home Department, Government of Maharashtra.

(3) The Appellate Committee and the Revisional Authority, as the case may be, shall take decision on every such appeal or revision, as the case may be, as far as possible within a period of ninety days from the date of filing of such appeal or revision, as the case may be.

10. *Grievance Redressal Committee.*—(1) Without prejudice to the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013), there shall be Grievance Redressal Committee consisting of Group 'A' Government officers for redressal of the grievance of women working in the establishments, namely:-

(a) in Commissionerate areas,—

(i) The Commissioner of Police	...	Chairman;
(ii) The District Magistrate	...	Member;
(iii) One woman officer of any department not below the rank of Group A officer, nominated by the concerned Police Commissioner	...	Member;
(iv) One woman officer of any department not below the rank of Group A officer, nominated by the concerned District Magistrate	...	Member;
(v) Concerned District Women and Child Development officer not below the rank of Group- A officer.	...	Member Secretary.

(b) in other area,—

- (i) The District Magistrate ... Chairman;
- (ii) Superintendent of police ... Member;
- (iii) One woman officer of any department not below the rank of Group A officer, nominated by the concerned District Magistrate. ... Member;
- (iv) One woman officer of any department not below the rank of Group A officer, nominated by the concerned Superintendent of police. ... Member;
- (v) Concerned Child Development Project officer ... Member Secretary. of Group A officer.

(2) The aggrieved woman may make a written complaint to the concerned Grievance Redressal Committee.

(3) The Committee shall create appropriate redressal mechanism for receiving complaints in accordance with this rule.

(4) The Committee shall maintain a complaint-register for the complaint received and a unique complaint number shall be provided to the complainant immediately. There shall also be incorporated in the Complaint-Register, the action taken on such complaint.

(5) The names and the addresses and all particulars of the Committee under this rule shall be given wide publicity in local newspapers, local cable network and on the web-site as well as with all Government offices and in prominent place of the establishments.

(6) If the Committee finds any substance in the grievances, it shall take appropriate action as it may deem fit. The Committee may also recommend the licensing authority for further appropriate action, including suspension of the license.

11. *Display of licences.*—The licensee shall display the licence prominently on the walls of the place.

12. *Smoking prohibited.*—Subject to the provisions of the Prohibition of Smoking in Public Places Rules, 2008, no person shall smoke and no licensee or his nominated manager or managers shall permit smoking in the establishment.

13. *Overcrowding prohibited.*—No licensee shall permit more number of persons than the maximum number authorized by the licence to be accommodated in such place.

14. *Cleanliness.*—The licensee shall at all times keep the place in a clean and sanitary condition.

15. *Licence to be non-transferable.*—The licence granted under these Rules shall not be transferable. On the death of the licensee, the licence shall be deemed to be revoked.

16. *Licensee liable for the acts of his employees.*—The licensee shall be responsible for all acts and omissions of his managers, servants or agents committed or made to his knowledge and arising out of or in connection with the place for which the licence has been granted.

SCHEDULE

General Conditions

PART - A

Conditions to be complied before grant of Licence

1. Separate hygienic and adequate toilet and locker facilities shall be provided for female employees;
2. One stage should not be less than 10ft. x 12 ft. in size in bar room, with non-transparent partition between hotel, restaurant and bar room area. If the applicant is holding permit room licence then there shall be fixed partition between the permit room and dance room.
3. The stage should be separated from all sides by a railing of 3 feet height and not by the non-removable partition.
4. There shall be a distance of 5 ft. between the railing and the customers seating area.
5. There shall be a barrier of not less than 6 inch height restricting the customers from crossing partition and entering the place where dances are staged.
6. The applicant should be holding the certificate regarding health and fire safety from the concerned Municipal Corporation or the concerned local authority, as the case may be. The licensee shall comply with the terms and conditions mentioned in the certificate issued by such authorities in respect of fire prevention measures.
7. At least one separate entry and one separate exit door should be operative at all times for free, safe and unobstructed movements of the visiting customers.
8. Conditions as laid down in Noise Pollution Control Rules shall be strictly complied.
9. The Licensee shall ensure that no concealed cavity or a room is created within the place in order to conceal performers/staff. But a green room may be allowed.
10. The licensee shall provide adequate dedicated parking space as per Development Control Regulations.
11. The place shall be at least one kilometer away from the educational and religious institutions.
12. The place shall not be in the residential building. In case it is in partial residential building, the applicant shall obtain No Objection Certificate of at least three-fourth occupants of the building.

PART - B

Conditions to be fulfilled after grant of Licence

1. The provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and of the Protection of Children from Sexual Offences Act, 2013, shall be complied with.
2. The working women, the dancers and waiters/waitresses must be employed under a written contract on a monthly salary to be deposited in their bank accounts (with all other benefits as required by law, including provident fund) and a copy of such contract must be deposited with the licensing authority.
3. A register of names of the employees reporting for work in the hotel, restaurant and bar room shall be maintained. The attendance of all the employees be recorded by Biometric Identification System. The proprietor of the establishment must record all particulars of each employee including full name, age, educational qualification, complete address, recent passport size photograph, Aadhar card number (if any), citizenship and other necessary details. The proprietor of the establishment shall be responsible for verifying the information furnished.

4. The provisions of the Maharashtra Shops and Establishment Act shall be applicable to all the employees in establishment.

5. The establishment shall issue a photo ID card to each employee which shall be carried with by that employee at all times during the period of duty.

6. Customer shall not be permitted to throw or shower coins, currency notes or any article or anything which can be monetized on the stage in the direction of the dancer. Customers may, however, make payment of a tip in appreciation of all the dancers by adding a sum to the amount of the bill. Such tip shall be paid by the licensee to the dancers of that evening and under no circumstances such sum shall be deducted from the monthly salary.

7. Licensee shall ensure that there will not be any showering of any currency notes, coins or article or articles in token thereof, on performers, on stage or anywhere in the premises, by the customer himself or through the waiter or through any other person.

8. A person below the age of 21 years shall not be permitted entry into the bar room under any circumstances. For this purpose such person shall be required to produce a valid identity card indicating his age.

9. The bar room where dances are staged shall be open for public only between 6.00 P.M. to 11.30 P.M.

10. Adequate security measures must be taken to prevent the sexual or other harassment in any form of any employee working in the hotel, restaurant and bar room. A provision of at least three female security guards for each establishment shall be made. A female employee may be allowed to remain in establishments beyond 9.30 p.m. only if she consents willingly in writing. In such event the establishment must ensure her safety including providing free and suitable travel arrangements to her place of residence. The proprietor of the establishment must make arrangements for adequate crèche facilities to be availed by any female employee.

11. No intoxicating drugs, psychotropic substances or narcotics shall be permitted in the establishment.

12. No alcoholic beverage shall be served in the bar room where dances are staged.

13. The licensee may permit four dancers/artists to perform on the stage at one time but there can be other artists at green room inside the establishment.

14. The licensee shall ensure that the age of the dancers is not below 21 years.

15. The licensee shall obtain suitability certificate from "Rangbhumi Prayog Parinirikshan Mandal" for starting the performances after verifying the amusement of the Programme/Song Code.

16. The Licensee shall ensure that the employees have no criminal antecedents.

17. The Licensee shall not allow any modification or alteration in the premises without the permission of the licensing authority.

18. The Licensee shall not appoint any manager or an agent to conduct the business on his behalf without obtaining the previous permission of the licensing authority which shall be endorsed on the license.

19. The Licensee shall ensure that either the Licensee himself or his manager or his agent whose name has been endorsed on the license by the licensing authority shall remain present during the whole time for which premises are open to the public.

20. The Licensee shall ensure that all entrances of the bar room, other places of amusement or public entertainment and the area which falls under the definition of public place shall be covered by CCTV cameras and recording shall be preserved for 30 days for the inspection by the Competent Police Authority, if it is requisitioned by him.

21. The Licensee shall at all times allow free access to such place to any Police Officer not below the rank of Police Sub-Inspector on duty entering the same in the execution of his duty.

22. Subject to the provisions of Prohibition of Smoking in Public Places Rules, 2008, the Licensee shall not allow any person including performers to smoke either on stage or in the entire premises.

23. Licensee shall ensure that no performance of dance shall be expressive of any kind of obscenity, in any manner, even remotely.

24. Licensee shall ensure that there is no violation of dignity of women through obscene dances.

25. Licensee will be liable for legal action if any information furnished is found to be false or document furnished is found to be forged.

26. The Licensee shall abide by the provisions of the Maharashtra Police Act, as well as all other laws applicable in this context.

27. The Licensee shall conduct his or her occupation or business in such premises in an orderly manner.

By order and in the name of the Governor of Maharashtra,

DR. VIJAY SATBIR SINGH,
Principal Secretary (A. & S.)
Home Department to Government.

FORM-I

[Format for Application for Hotel, Restaurant and Bar Room]

[Rule-4]

(Fill up the application carefully & correctly. Incomplete application would be liable to rejection)

Name of the Premises on letter head

Rs.5
Court Fee
StampPhotograph of the
applicant with
signature acrossM/s _____

Date :

Name of the Police Station: _____

To,

The Commissioner of Police/Superintendent of Police

Subject: **Application for the grant of Licence to**

Sir,

I the undersigned Shri/Smt/Kum _____ owner of Hotel
 M/s _____ would like to apply for grant of
 Licence for Hotels, Restaurants and Bar Rooms at the above address. The place belongs to me/
 taken on rent or lease and is not in fully residential building.

Details are as follows :

1] Full Name : _____

2] Occupation : _____

3] Parentage : _____

4] Age [Date of Birth and Place of Birth] : _____

5] Nationality : _____

6] (A) Residential Address with Telephone/Mobile/Fax/E-mail : _____
 (B) Native Place Address : _____
 with name of Police Station _____

7] Full Name of the Establishment & Address [with Landmark] : _____

- (i) Total area of the premises
- (ii) Total number of rooms with area of each room in the premises.
- (iii) whether the premises is in partial residential building.
- (iv) if yes, whether consent of $\frac{3}{4}$ th of the occupants is obtained. if yes, furnish the details.

8. (A) Whether the applicant applied for a Premise & Performance Licence in the past, if so for which place and when with what result

(B) If the applicant was holding any Police Licence/ Performance Licence in the past whether the said Licence was ever Suspended / Cancelled / Revoked. If so, give details with copy of the said Order

9. Exact Nature of Amusement Activity : -----

10. Certified & Attested Copies of update document attached whichever is applicable.

Sr. No.	Documents From Various Departments	Submitted Documents
---------	------------------------------------	---------------------

Local Authority

- (1) Shop & Establishment License
- (2) Eating House & Permit Room License from Local Authority
- (3) Grade License
- (4) Property Tax paid Receipt
- (5) Occupation / Commencement Certificate of Local Authority or Certificate from Local Authority stating "No Action Pending"
- (6) Vehicle Parking Plan
- (7) Health Licence in "Form-B"
- (8) NOC from Local Authority Department & Health Department of Local Authority if place is situated on Mezzanine floor.

Fire Brigade Department

- (1) NOC Certificate from Fire Brigade to the effect that all precautionary measures have been taken from public safety point of view.
- (2) A recent report of fire audit.

Excise Department

- (1) FL-III/FL-IV Licence & Map of Establishment signed by Superintendent of State Excise Department

FDA /FSSAI Authority

- (1) Food Safety & Standards Authority of India Licence under Food Safety & Standards Act, 2006 "Form-C".

Sr. No.	Documents From Various Departments	Submitted Documents
Documents From Applicants Place		
(1)	Ownership document if the place is Owned by the applicant	
(2)	Rent receipt/Lease Agreement/Land Lord OR Society / owners NOC, if the place is on Rent/Lease	
About Establishment / Company / Firm		
(1)	Copy of Partnership Deed, if Partnership Firm	
(2)	Copy of Memorandum and Articles	
(3)	Copy of the Resolution under which authorized to sign and obtain the above license from Police Rent/Lease	
About Establishment / Company / Firm		
(1)	Copy of Partnership Deed, if Partnership Firm	
(2)	Copy of Memorandum and Articles	
(3)	Copy of the Resolution under which authorized to sign and obtain the above license from Police Department	
(4)	Applicant/All Partners/Directors Residential Proof	
(5)	List of Directors	
Other Documents		
(1)	Certificate from Government Electrical Inspector or Government Approved Private Contractor regarding the safety of Electrical Fittings.	
(2)	Certificate about installation of Fire Extinguishers in proper condition and updated	
(3)	Telephone installation Certificate from Telephone service Provider [Telephone in working condition] / Copy of Latest Telephone Bill.	
(4)	Site Plan showing religious, Educational institution and Hospitals within a radius of 1 k.m. of the Establishment.	
(5)	Proposed location and Site Plan indicating the place for Stage for Performing Dance [Size of stage 10 x 12 sq. feet] and specification about internal arrangement in Hotel, Restaurant and Bar Room with their admeasuring area, the floor etc. and duly signed by the architect with date	
(6)	Sound Proof Certificate from an Architect.	

Copies of above documents are attached herewith. If any other documents are required the same will be submitted as soon as we are informed.

It is requested that necessary licence may kindly be granted. I will abide by the rules, regulations and conditions of the licence and provision of prescribed rules and other issued by Licensing Authority from time to time.

Hoping you would do the needful at the earliest and obliged.

Thanking You,

Your faithfully
(Full Name & Signature).

FORM-II

Licensee
Photo

[Format of Licence]

PREMISES LICENCE

Rs.

(Rule-5)

Rt.

(For fees vide Rule-6)

Dt. 00.00.2016

No. of 2016

In exercise of the powers conferred by the Maharashtra Prohibition of Obscene Dance in Hotels, Restaurants and Bar Rooms and Protection of Dignity of Women (working therein) Rules, 2016 License is hereby granted, subject to the conditions and restrictions laid down in the aforesaid Rules and conditions herein below to Shri/M/s. _____ authorising him to keep a Place for Amusement known as Dance on Recorded Music at M/s. _____ and assessed under Municipal No. _____ to be opened between 06-00 p.m. and 11-30 p.m. from this date ____/____/20____ till midnight of ____/____/20____ subject nevertheless to suspension, revocation or cancellation under the aforesaid rules.

Brief description of Public Amusement Activity.

Number and Name of the Different divisions of the auditorium (1)	Number of persons that each such divisions can accommodate (2)	Number and positions of entrance and exits in each division (3)
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This license is valid for only one stage of 10ft x 12ft One person will accommodate 4ft x 2ft area in the sitting area of Bar Room (sitting area ÷ 8 sq.feet = Maximum number of persons to be accommodated in Bar Room).

Owner's Name and Signature	Manager's Name and Signature with passport size photograph
(No entry, addition, alteration should be made on the licence without permission of the Licensing Authority).	

Given under my hand and seal, this _____ day of _____

Police Commissioner's/

for Commissioner of Police/ Superintendent.

१२६

शुक्रवार, एप्रिल २२, २०१६/वैशाख २, शके १९३८

वित्त विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मुंबई ४०० ०३२, दिनांक २२ एप्रिल २०१६

अधिसूचना

महाराष्ट्र लोकसेवा हक्क अधिनियम, २०१५.

क्रमांक संकीर्ण. २०१६/प्र.क्र.१/कोषा प्रशा-५.—महाराष्ट्र लोकसेवा हक्क अधिनियम, २०१५ (२०१५ चा महा. ३१) तील कलम ३ मधील पोट-कलम १ नुसार प्राप्त अधिकारान्वये, वित्त विभाग, यासोबत जोडलेल्या अनुसूचीतील रकाना क्र. (२) मध्ये विनिर्दिष्ट केलेल्या, संचालनालय, लेखा व कोषागारे, महाराष्ट्र राज्य, मुंबई, अधिदान व लेखा कार्यालय, मुंबई व जिल्हा कोषागार, कार्यालये यांच्या कार्यालयांनी, पात्र व्यक्तिना नियतकालमर्यादेत द्यावयाच्या लोकसेवांसह, पदनिर्देशित अधिकारी, प्रथम अपिलीय अधिकारी व द्वितीय अपिलीय अधिकारी यासोबत जोडलेल्या अनुसूचीतील अनुक्रमे रकाना क्र. (३), (४), (५) व (६) अन्वये या कायद्याकरिता अधिसूचित करीत आहे :—

अनुसूची

अ. क्र.	लोकसेवेचे नाव	लोकसेवा	पुरविण्यासाठी	पदनिर्देशित अधिकारी	प्रथम अपिलीय	द्वितीय अपिलीय
(१)	(२)	(३)	(४)	(५)	(६)	(७)
१	मासिक निवृत्तिवेतन/ कुटुंबनिवृत्तिवेतन	महिन्याच्या पहिल्या दिवशी निवृत्तिवेतनधारकाचे बँक खात्यात मिळू शकेल. (फक्त माह एप्रिल सोडून)	(अ) अपर कोषागार अधिकारी (संबंधित जिल्हा)	(अ) जिल्हा कोषागार अधिकारी (संबंधित जिल्हा)	(अ) विभागीय सहसंचालक, लेखा व कोषागारे (संबंधित विभाग)	(अ) विभागीय सहसंचालक, लेखा व कोषागारे, महाराष्ट्र राज्य, मुंबई.
			(ब) सहायक अधिदान व लेखा अधिकारी (मुंबई).	(ब) अधिदान व लेखा अधिकारी (मुंबई).		

अनुसूची—चालू

(१)	(२)	(३)	(४)	(५)	(६)
२	मुद्रांक वितरित करणे	कोषागारात चलन प्राप्त झाल्यानंतर दोन दिवसात	अपर कोषागार अधिकारी (संबंधित जिल्हा)	जिल्हा कोषागार अधिकारी (संबंधित जिल्हा)	विभागीय सहसंचालक, लेखा व कोषागारे (संबंधित विभाग)
३	महाराष्ट्र शासन वित्त विभाग, शासन निर्णय दिनांक ३० डिसेंबर २०१५ अन्वये सेवानिवृत्त कर्मचा-यांच्या शेवटच्या कार्यालय प्रमुखाने निवृत्तीवेतनाच्या अनुषंगाने उपरोक्त शासन निर्णयामध्ये नमूद केलेल्या कागदपत्रांची तपासणी करून ती संबंधित कोषागारास ॲनलाईन व रजिस्टर पोस्ट, स्पीडपोस्ट किंवा हस्तबटवडान्ये वेळेत पाठविणे.	शासन निर्णय दिनांक ३० डिसेंबर २०१५ च्या सोबत नमुना-अ, नमुना-ब व नामनिर्देशन ४२-अ असे तिनही नमुने कर्मचारी सेवानिवृत्ती, सेवेत असताना मृत्यू अथवा बेपत्ता व स्वेच्छा-निवृत्ती झाल्यानंतर किंवा निवृत्तीवेतन प्रदान आदेश महालेखापाल कार्यालयाकडून प्राप्त झाल्यानंतर यापैकी जी घटना नंतर घडेल त्या दिनांकापासून १० कार्यालयीन कामकाज दिवसांच्या आत कोषागारास पाठविणे.	सेवानिवृत्त कर्मचा-याचा शेवटच्या कार्यालय प्रमुख व त्याचे कार्यालय प्रमुखाच्या आहरण व संवितरण लगतचा वरिष्ठ अधिकारी.	सेवानिवृत्त कर्मचा-याच्या शेवटच्या कार्यालय प्रमुखाच्या लगतचा वरिष्ठ अधिकारी.	सेवानिवृत्त कर्मचा-याच्या लगतचा वरिष्ठ अधिकारी.
४	महालेखापाल कार्यालयाकडून प्राप्त झालेले निवृत्तीवेतन प्रदान आदेश व त्या अनुषंगाने सेवानिवृत्त कर्मचा-यांच्या शेवटच्या कार्यालय प्रमुखाने पाठविलेल्या कागदपत्रांची तपासणी विहित मुदतीत करून निवृत्तीवेतनाचे प्रथम प्रदान व त्या अनुषंगिक लाभाचे प्रदान संबंधित निवृत्तीवेतनधारकाचा बँक खात्यात जमा करणे.	महालेखापाल कार्यालयाकडून कोषागारास मूळ निवृत्तीवेतन प्रदान आदेश (पीपीओ) व ॲनलाईन निवृत्तीवेतन प्रकरण प्राप्त झाल्याचा दिनांक व शेवटच्या कार्यालय प्रमुखाकडून कोषागारात निवृत्तीवेतनधारकाची नमुना अ, नमुना ब व नामनिर्देशनाचा नमुना ४२ अ ही कागदपत्रे ज्या दिनांकास प्राप्त होतील तो दिनांक व संबंधित निवृत्तीवेतनधारकाराचा सेवानिवृत्तीचा दिनांक यांपैकी जी घटना नंतर घडेल तो दिनांक आज्ञावलीत नोंदविणेत येईल. सदर दिनांक, महिन्याच्या २० तारखेपर्यंत असल्यास (माहे फेब्रुवारीकरिता १५ तारखेपर्यंत) त्यांच्या निवृत्ती-वेतनाची सर्व प्रदाने पुढील महिन्याच्या १ तारखेपर्यंत तर २० तारखेनंतर (माहे फेब्रुवारी-करिता १५ तारखेनंतर) असलेस त्यांचे निवृत्तीवेतनाचे सर्व प्रदाने पुढील महिन्याच्या १० तारखेपर्यंत	(अ) अपर कोषागार अधिकारी (संबंधित जिल्हा) (ब) सहायक अधिदान व लेखा व लेखा अधिकारी (मुंबई) अधिकारी (मुंबई)	(अ) कोषागार अधिकारी (संबंधित जिल्हा) (ब) अधिदान व लेखा व लेखा अधिकारी (मुंबई) अधिकारी (मुंबई)	(अ) विभागीय सहसंचालक, लेखा व कोषागारे (संबंधित विभाग) (ब) संचालक, लेखा व कोषागारे, महाराष्ट्र राज्य, मुंबई.

अनुसूची—समाप्त

(१)	(२)	(३)	(४)	(५)	(६)
		इलेक्ट्रॉनिक पद्धतीने निवृत्तीवेतन- धारकाच्या बँक खात्यात जमा करण्याची कार्यवाही कोषागार अधिकारी करेल किंवा कोषागारात प्राप्त कागदपत्रे अपूर्ण आढळल्यास तो ती परत करेल.			

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

ना. भा. रिंगणे,
शासनाचे उप सचिव.

FINANCE DEPARTMENT

Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated 16th April 2016.

NOTIFICATION

MAHARASHTRA RIGHT TO PUBLIC SERVICES ACT, 2015.

No. Sankirn 2016/CR-1/Try Admin.-5.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Maharashtra Right to Public Services Act, 2015 (Mah. XXXI of 2015), the Finance Department hereby notifies the public services, specified in column (2) of the Schedule appended herewith, to be rendered to the eligible persons by the offices of Directorate of Accounts and Treasuries, Maharashtra State, Mumbai, Offices of the Pay and Accounts Office, Mumbai and the District Treasury alongwith the stipulated time limit for providing such public services, the Designated Officers, First Appellate Authorities and Second Appellate Authorities, as specified in column (3), (4), (5) and (6) respectively, of the Schedule for the purpose of the said Act :—

Schedule

Sr. No.	Name of Public Service	Time limit for providing service (Working Days)	Designated Officer	First Appellate Authority	Second Appellate Authority
(1)	(2)	(3)	(4)	(5)	(6)
1	Monthly Pension/Family Pension.	On the First day of month pension will be credited on pensioners bank account (exception only to April Month).	(A) Additional Treasury Officer (Concerned Dist.) (B) Asst. Pay and Accounts Officer (Mumbai)	(A) District Treasury Officer (Concerned Dist.) (B) Pay and Accounts Officer (Mumbai)	(A) Regional Joint Director, Accounts and Treasuries (Concerned Region) (B) Director Accounts and Treasuries, M. S., Mumbai.
2	Supply of Stamps	Within Two days after receipt of challan at Treasury.	Additional Treasury Officer (Concerned District)	District Treasury Officer (Concerned District)	Regional Joint Director, Accounts and Treasuries (Concerned Region).
3	As per Government Resolution, Finance Department, dated 30th December 2015, the Last Head of Office of the Service Pensioner shall send the Original Forms duly certified, both online and by Register Post/ Speed Post/Hand Delivery to the Treasury.	The Last Head of the Office of the Service Pensioner should submit Form-A, Form-B and Nomination Form 42-A, after, the Goverment Servant's retirement, death in service or missing in service, voluntary retirement, or receipt of Pension Payment Orders from the Office of the Accountant General, whichever event happens later. From such date the Last Head of Office of the service pensioner shall certify specified documents and ensure to send them within 10 official working days to paying Treasury.	The Last Head of the Office and the Drawing and Disbursing Officer of the Service Pensioner.	An Officer Next above the head of Office of the Service Pensioner.	An Officer Next above the First Appellate Authority of the Last Head of Office of the Service Pensioner.

Sechedule-Concld.

(1)	(2)	(3)	(4)	(5)	(6)
4	After receipt of Pension Payment Order from Accountant General and the relevant documents from the Last Head of Office of the Service Pensioner the Treasury Officer has to credit the dues into the Pensioner's bank account.	The date when the Pension Payment order is received from the Accountant General Office both physically as well as in Online format or when the last Head of the office of the service pensioner submits the specified documents <i>viz.</i> Form A, Form B and Nomination form in Form 42-A or the date of retirement of the service pensioner whichever date is later, such date is to be incorporated in the Pension System. If such date is prior to 20th day of the month (15th Day for the month of February) all the dues of the pensioners are to be ensured to be disbursed by the 1st day of the succeeding month, and if such date is after the 20th day of the month (after 15th day for the month of February) all the dues of the pensioners are to be ensured to be disbursed by the 10th day of the succeeding month, the Treasury Officer has to credit the dues into the Pensioner's bank account, but, if the documents received at the Treasury are found to be incomplete in any respect, then the Treasury Officer shall return the documents.	(A) Additional Treasury Officer (Concerned District) (B) Assistant Pay and Accounts Officer, Mumbai.	(A) Treasury Officer (Concerned District) (B) Pay and Accounts Officer, Mumbai.	(A) Regional Joint Director Accounts and Treasuries (Concerned Region) (B) Director Accounts and Treasuries, M.S., Mumbai.

By order and in the name of the Governor of Maharashtra,

N. B. RIGANE,
Deputy Secretary to Government.

१२७

शुक्रवार, एप्रिल २२, २०१६/वैशाख २, शके १९३८

वित्त विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक,
मंत्रालय, मुंबई ४०० ०२२, दिनांक २२ एप्रिल २०१६

अधिसूचना

महाराष्ट्र मूल्यवर्धित कर अधिनियम, २००२.

क्रमांक. मूवक.१५१६/प्र.क्र.५२ /कराधान-१.— ज्याअर्थी, महाराष्ट्र शासनाची अशी खात्री झाली आहे की, महाराष्ट्र मूल्यवर्धित कर नियम, २००५ मध्ये तात्काळ सुधारणा करण्याजोगी परिस्थिती निर्माण झाली आहे आणि त्यामुळे महाराष्ट्र मूल्यवर्धित कर अधिनियम, २००२ (२००५ चा महा. ९) च्या कलम ८३ च्या पोट-कलम (४) च्या परंतुकानुसार सदर नियमांना पूर्व प्रसिद्धी देण्याची अट पाळण्याची गरज नाही ;

म्हणून, उक्त अधिनियमाच्या कलम ८३ च्या उप-कलम (४) च्या परंतुकासह, उप-कलमे (१), (२) आणि (३) च्या शक्तीचा वापर करून तसेच यासंदर्भात प्राप्त झालेल्या सर्व अधिकारांचा वापर करून, महाराष्ट्र शासन, महाराष्ट्र मूल्यवर्धित कर नियम, २००५ मध्ये सुधारणा करीत आहे, म्हणजेच :—

१. (१) या नियमांना महाराष्ट्र मूल्यवर्धित कर (दुसरी सुधारणा) नियम, २०१६ असे संबोधण्यात यावे.

(२) सदर नियम दिनांक १ एप्रिल २०१६ पासून अंमलात येतील.

२. महाराष्ट्र मूल्यवर्धित कर नियम, २००५ (यापुढे “मुख्य नियम” असे संबोधण्यात येईल) च्या नियम २ च्या उप-नियम (१) मध्ये, खंड (ओ) नंतर खालील खंड दाखल करण्यात येत आहे,

म्हणजेच :—

“ (प) “संकेतस्थळ” याचा अर्थ, विक्रीकर विभागाचे संकेतस्थळ म्हणजेच www.mahavat.gov.in असा आहे.”.

३. मुख्य नियमांच्या नियम ८ मध्ये,—

(१) उप-नियम (१) मधील, “नमुना १०१ मध्ये नोंदणी प्राधिका-याकडे करण्यात येईल” या शब्द आणि अंकाएवजी “संकेत स्थळावर कलम १९ नुसार, जेथे आवश्यक असेल तेथे नमुना १०५ सह नमुना १०१ मध्ये दाखल करण्यात येईल.” हे शब्द आणि अंक दाखल करण्यात येत आहेत ;

(२) उप-नियम (३) मध्ये, “ असे धंदयाचे पूरक ठिकाण ज्याच्या अधिकारितेत बसेल अशा नोंदणी प्राधिका-यास सादर करील ” या शब्दांएवजी “ संकेतस्थळावर इलेक्ट्रॉनिकली सादर करील ” हे शब्द दाखल करण्यात येत आहेत ;

(३) उप-नियम (४) मध्ये, “ स्वाक्षरी करून ” या शब्दांएवजी “ स्वाक्षरी करून आणि पडताळून संकेतस्थळावर इलेक्ट्रॉनिकली दाखल ” हे शब्द दाखल करण्यात येत आहेत ;

(४) उप-नियम (५) मध्ये, “ प्रतिज्ञापत्र ” या शब्दानंतर “ संकेतस्थळावर इलेक्ट्रॉनिकली दाखल करून ” हे शब्द दाखल करण्यात येत आहेत ;

(५) उप-नियम (७) मध्ये,—

(क) “ अर्जासोबत ” या शब्दांएवजी “ अर्जासह ” हा शब्द दाखल करण्यात येत आहे ;

(ख) “ पासपोर्टच्या आकाराची एक प्रत देखील देईल ” या शब्दांएवजी “ पासपोर्टच्या आकाराची एक प्रत देखील संकेतस्थळावर इलेक्ट्रॉनिकली दाखल करील. ” हे शब्द दाखल करण्यात येत आहेत ;

(६) उप-नियम (८) आणि उप-नियम (११) वगळण्यात येत आहेत ;

(७) उप-नियम (१२) मध्ये,—

(क) “ आणि तो पुराव्यासह नोंदणी प्राधिका-याकडे अर्ज करताना सादर केला पाहिजे ” हे शब्द वगळण्यात येत आहेत ;

(ख) परंतुकाएवजी खालील परंतुक दाखल करण्यात येत आहे, म्हणजेच :-

“ परंतु असे की, कलम २ च्या खंड (८) मधील स्पष्टीकरणात नमूद केलेले परिच्छेद (एक), (दोन), (तीन), (चार) आणि (पाच) यातील व्यक्ती, संस्था आणि अस्तित्व यांच्याकडे आयकर अधिनियम, १९६१ खालील कर वजात लेखा क्रमांक (TAN) असेल. ”

४. मुख्य नियमांच्या नियम १६ मध्ये,—

(१) उप-नियम (१), मध्ये “ नमुना १०५ मध्ये करण्यात येईल ” या शब्दां आणि अंकाएवजी “ संकेतस्थळावर नमुना १०१ सह नमुना १०५ मध्ये इलेक्ट्रॉनिकली दाखल करण्यात येईल ” हे शब्द आणि अंक दाखल करण्यात येत आहेत ;

(२) उप-नियम २ मध्ये,—

(क) “ पाठविण्यात ” या शब्दांएवजी “ संकेतस्थळावर इलेक्ट्रॉनिकली दाखल करण्यात ” हे शब्द दाखल करण्यात येत आहेत ;

(ख) “ किंवा घोषित केलेले व्यवस्थापक ” या शब्दानंतर “ किंवा, यथास्थिती, प्राधिकृत व्यक्ती ” हे शब्द दाखल करण्यात येत आहेत.

५. मुख्य नियमाच्या नियम १७ मध्ये,—

(१) उप-नियम (१) मध्ये,—

(क) “ विवरणाचे नमुने विक्रीकर विभागाकडून ” या शब्दांनी सुरु होणा-या आणि “ एकझेक्युटीव बॉड प्रतीचा कागद वापरला पाहिजे ” या शब्दांनी संपणा-या भागाएवजी खालील दाखल करण्यात येत आहे, म्हणजेच :-

“ संकेतस्थळावर इलेक्ट्रॉनिक माध्यमातील विवरणाचे नमुने उपलब्ध करून देण्यात येतील. ”

(ख) स्पष्टीकरण दोन ऐवजी, खालील स्पष्टीकरण दाखल करण्यात येत आहे, म्हणजेच :-

“ स्पष्टीकरण दोन:- या उप-नियमाच्या प्रयोजनार्थ, ज्या व्यापा-याने वीजनिर्मिती प्रचालन धोरण, १९९८ शिवाय इतर कोणत्याही सामुहिक प्रोत्साहन योजनेखालील हक्कदारी प्रमाणपत्र देखील धारण केलेले आहे त्यांच्याबाबतीत तो अन्यथा नमुना २३१ मधील विवरण दाखल करण्यास पात्र असेल तर तो नमुना २३४ मधील विवरणाबोरेर आणखी नमुना २३१ मध्ये विवरण दाखल करील. ” ;

(२) उप-नियम (२) ऐवजी, खालील उप-नियम दाखल करण्यात येत आहे, म्हणजेच :-

“ (२) या नियमाच्या तरतुदीच्या अधिन राहून, प्रत्येक नोंदणीकृत व्यापा-याने दिनांक १ एप्रिल २०१६ रोजी किंवा त्यानंतर सुरु होणा-या कालावधीसाठी दाखल करावयाचे विवरण इलेक्ट्रॉनिक माध्यमातून संकेतस्थळावर उपलब्ध करून दिलेल्या पद्धतीने दाखल करावे. ”;

(३) उप-नियम (४) मध्ये, स्पष्टीकरण चार वगळण्यात येत आहे ;

(४) उप-नियम (४) नंतर, खालील उप-नियम दाखल करण्यात येत आहे, म्हणजेच :—

“ (४क) उप-नियम (४) शिवाय या नियमाच्या आणि नियम १८ च्या इतर तरतुदीच्या अधिन राहून, दिनांक १ एप्रिल २०१६ रोजी किंवा त्यानंतर सुरु होणा-या कालावधीसाठी,

(क) प्रत्येक नोंदणीकृत व्यापारी—

(एक) मागील वर्षी ज्याचे करदायित्व रूपये दहा लाखापेक्षा जास्त होते, किंवा

(दोन) मागील वर्षी ज्याचा परताव्यासाठीचा दावा रूपये एक कोटीपेक्षा जास्त होता, असा व्यापारी मासिक विवरण पत्र ते ज्या महिन्याशी संबंधित असेल, तो महिना संपल्यानंतर एकवीस दिवसांच्या आत सादर करील ;

(ख) इतर कोणताही नोंदणीकृत व्यापारी तिमाही विवरणपत्र, ते ज्या तिमाहीशी संबंधित असेल, ती तिमाही संपल्यानंतर एकवीस दिवसांच्या आत सादर करील.

परंतु असे की, खंड (क) च्या उप-खंड (एक), (दोन) किंवा, यथास्थिती, खंड (ख) मध्ये समाविष्ट असलेला व्यापारी,—

(एक) ज्याने अधिनियमाच्या कलम ४२ च्या उप-कलम (१) आणि (२) अन्वये दिलेल्या आपसमेल योजनेचा पूर्णतः स्वीकार केलेला आहे असा व्यापारी असणार नाही, आणि

(दोन) ज्याला कलम ६१ खालील लेखापरिक्षण अहवाल सादर करणे आवश्यक असणार नाही,

त्याने शेवटचे मासिक किंवा यथास्थित, त्रैमासिक विवरण ते विवरण ज्या वर्षाशी संबंधित आहे त्याच्या लगतच्या वर्षाच्या २१ एप्रिल रोजी किंवा त्यापूर्वी नमुना ७०४ ला जोडलेल्या जोडपत्रात पूर्ण वर्षातील इतर तपशीलासह सादर करावे.

(ग) या उप-नियमास, उप-नियम (४) च्या खंड (ड) आणि नियम १७ चे स्पष्टीकरण एक आणि दोन च्या तरतुदी योग्य त्या फेरफारासह लागू होतील.”.

६. मुख्य नियमाच्या नियम १७ क मध्ये, उप-नियम (१) नंतर, खालील उप-नियम दाखल करण्यात येत आहे, म्हणजेच :—

“ (१क) ज्यावेळी अधिनियमाखालील कोणताही अर्ज, प्रतिज्ञापन, जोडपत्र, अपील, ज्ञापन, लेखापरिक्षण अहवाल, विवरण किंवा इतर कोणतेही दस्तऐवज इलेक्ट्रॉनिक माध्यमातून सादर केलेले असतील तेव्हा असे अर्ज, प्रतिज्ञापन, जोडपत्र, अपील, ज्ञापन, लेखापरिक्षण अहवाल, विवरण किंवा इतर कोणतेही दस्तऐवज हे विशिष्ट प्राधिका-याकडे सादर करणेबाबत स्पष्टपणे तरतूद केलेली नसेल तर व्यापा-याच्या व्यवसायाचे ठिकाणावर किंवा, यथास्थिती, मुख्य ठिकाणावर ज्या नोंदणी प्राधिका-यांची अधिकारिता आहे त्याच्याकडे दाखल केले आहे असे समजण्यात येईल.”.

७. मुख्य नियमांच्या, नियम १८ मध्ये,—

(१) उप-नियम (१) नंतर खालील उप-नियम दाखल करण्यात येत आहे, म्हणजेच :—

“ (१क) ज्याबाबतीत दिनांक १ एप्रिल २०१६ रोजी किंवा त्यानंतर एग्राद्या व्यापा-याने या अधिनियमाअन्वये नोंदणी घेतली असेल, आणि,—

(क) त्याने नोंदणीसाठी विहीत मुदतीत अर्ज सादर केला नसेल तर अशा अनोंदित कालावधीसाठी त्याने सादर करावयाचे पहिले विवरण हे पहिल्या विक्री किंवा, यथास्थिती, खरेदी व्यवहाराच्या दिनांकापासून अशा दिनांकाचा अंतर्भाव असलेल्या महिन्याच्या अखेरच्या दिनांकापर्यंत करावे. त्यानंतर तो नोंदणी अंमलात आल्याच्या दिनांकाचा अंतर्भाव असलेल्या लगतच्या महिन्यापूर्वीच्या कालावधी संबंधात मासिक विवरण दाखल करण्याचे चालू ठेवील. अशा अनोंदित कालावधीचे शेवटचे विवरण हे नोंदणी अंमलात आल्याच्या दिनांकाचा अंतर्भाव असलेल्या महिन्याच्या पहिल्या दिनांकापासून नोंदणी अंमलात येण्यापूर्वीच्या दिनांकापर्यंत दाखल करावे. त्यानंतर त्याचे नोंदीत कालावधीचे पहिले विवरण नोंदणी अंमलात आल्याच्या दिनांकापासून त्या दिनांकाचा अंतर्भाव असलेल्या महिन्याच्या अखेरच्या दिनांकापर्यंत असेल आणि त्यानंतर नोंदणी दिनांकाच्या अंतर्भाव असलेल्या वर्षाच्या अखेरीस किंवा तत्पूर्वी संपणा-या कालावधी संबंधात मासिक विवरण दाखल करण्याचे चालू ठेवील.

(ख) त्याने नोंदणीसाठी नियम ८ मध्ये विनिर्दिष्टीत केलेल्या विहीत मुदतीत अर्ज सादर केला असेल तर त्याने सादर करावयाचे पहिले विवरण हे पहिल्या विक्री किंवा, यथास्थिती, खरेदी व्यवहाराच्या दिनांकापासून त्या दिनांकाचा अंतर्भाव असलेल्या महिन्याच्या अखेरपर्यंतच्या कालावधीसाठी असेल. त्यानंतर तो नोंदणी अंमलात आल्याच्या दिनांकाचा अंतर्भाव असलेल्या वर्षाच्या अखेरीस किंवा तत्पूर्वी संपणा-या कालावधी संबंधात मासिक विवरण दाखल करणे चालू ठेवील.”

(२) उप-नियम (२) मध्ये, “ पोट-नियम (४) ” या शब्द, कंस आणि अंकानंतर “ किंवा, यथास्थिती, पोट-नियम (४क) ” हे शब्द, कंस, अंक आणि अक्षर दाखल करण्यात येत आहेत ;

(३) उप-नियम (२), नंतर खालील उप-नियम दाखल करण्यात येत आहे, म्हणजेच :—

“ (२क) जेव्हा दिनांक १ एप्रिल २०१६ रोजी किंवा त्यानंतर नोंदणी रद्द झाली असेल तर अशा व्यापा-याने पूर्ण वर्षाच्या किंवा, यथास्थिती, वर्षाच्या भागासाठीचा इतर तपशील नमुना ७०४ ला जोडलेल्या जोडपत्रामध्ये त्या आर्थिक वर्षाच्या शेवटच्या मासिक विवरणामध्ये किंवा, यथास्थिती, तिमाही विवरणामध्ये देईल. ”

(४) उप-नियम (३) नंतर खालील उप-नियम दाखल करण्यात येत आहे, म्हणजेच :—

“ (३क) (क) दिनांक १ एप्रिल २०१६ रोजी किंवा त्यानंतर सुरू होणा-या कालावधीसाठी ज्या व्यापा-यास कर देयतेतून सूट मिळण्यासाठी प्रोत्साहनाचे फायदे मिळण्याच्या प्रयोजनासाठी हक्कदारी प्रमाणपत्र (वीज निर्मिती प्रचालन धोरण, १९९८ अन्वये दिलेल्या हक्कदारी प्रमाणपत्राशिवाय) दिलेले असेल तो,—

(एक) नियम १७ मध्ये विहित केलेल्या नमुन्यामध्ये महिन्याच्या पहिल्या दिवसापासून सुरू होणा-या कालावधीसाठी किंवा, यथास्थिती, तिमाहीच्या पहिल्या दिवसापासून आणि अशा प्रमाणपत्राच्या लागू झाल्याच्या दिनांकापूर्वीच्या संपणा-या लगतच्या तारखेस विवरण दाखल करील.

(दोन) त्यानंतर तो नमुना २३४ मध्ये मासिक विवरण दाखल करील आणि त्याप्रमाणे पहिले विवरण हक्कदारी प्रमाणपत्र घेतल्यानंतर त्याच्या लागू झाल्याच्या दिनांकापासून महिन्याचा कालावधी संपेपर्यंतच्या कालावधीचे विवरण दाखल करील.

परंतु, जर व्यापा-याने एखादे कार्यक्रमाट सुरू केले किंवा वस्तुवापर किंवा आपसमेळाखाली काही व्यवसायाचा भाग असेल तर, नियम १७ च्या उप-नियम (४क) मध्ये काहीही अंतर्भूत केलेले असले तरी नमुना २३४ मधील विवरणाशिवाय अशा कार्यासाठी नमुना २३३ मध्ये मासिक विवरण दाखल करील.

(तीन) शेवटचे विवरण महिन्याचा कालावधी सुरू होणा-या पहिल्या दिवसापासून त्या प्रमाणपत्राची विधीग्राहयता ज्या तारखेस संपेल त्या तारखेपर्यंत दाखल करील.

(चार) पुढील लगतचे विवरण त्या प्रमाणपत्राची विधीग्राहयता ज्या तारखेस संपेल त्या लगतच्या दिनांकापासून त्या महिन्याच्या शेवटपर्यंत दाखल करेल.

(पाच) उर्वरित कालावधी जर असेल तर त्यासाठी मासिक विवरण दाखल करील.

(सहा) लगतच्या पुढील वर्षासाठी विवरणपत्राचा कालावधी नियम १७ नुसार ठरविण्यात येईल व या प्रयोजनार्थ “ कर देयता ” या संज्ञेमध्ये व्यापा-याने घेतेलेल्या संचयी लाभाची प्रमात्रा अंतर्भूत असेल असे समजून नियम १७ च्या उप-नियम (४क) मधील तरतुदी लागू होतील.

(ख) ज्यांना लांबवणीवर टाकलेल्या कराचा भरणा करण्यासाठी हक्कदारी प्रमाणपत्र दिलेले असेल अशा व्यापा-यांना खंड (क) मध्ये विनिर्दिष्ट केलेल्या तरतुदी योग्य त्या फेरफारासह लागू होतील. ”.

c. मुख्य नियमाच्या नियम ४१ मध्ये, उप-नियम (१), मध्ये “ उप-नियम (४) ” या शब्द, कंस, आणि अंकानंतर “ किंवा, यथास्थिती, उप-नियम (४क) ” हे शब्द, कंस, अंक आणि अक्षर दाखल करण्यात येत आहे.

९. मुख्य नियमाच्या नियम ४५ मध्ये, उप-नियम (४) मध्ये, “ विनिर्दिष्ट केलेल्या नोंदणी प्राधिका-याकडे पाठविल. ” या शब्दानंतर “ दिनांक १ एप्रिल २०१६ रोजी किंवा त्यानंतर सुरू होणा-या कालावधीतील भरणा केल्याची पोचपावतीची प्रत इलेक्ट्रॉनिक माध्यमातून व्यापा-यास प्राप्त होईल. ” हे शब्द आणि अंक दाखल करण्यात येत आहेत.

१०. मुख्य नियमास जोडण्यात आलेल्या नमुना १०२ ऐवजी खालील नमुना दाखल करण्यात येत आहे, म्हणजेच :—



“नमुना-१०२

(नियम ९ पहा)

नोंदणी प्रमाणपत्र

महाराष्ट्र मूल्यवर्धित कर अधिनियम, २००२ च्या कलम १६ खाली

करदाता ओळख क्रमांक (टीन)

असे प्रमाणित करण्यात येते की, ज्यांचा तपशील खाली देण्यात आलेला आहे, ते धंदा चालवित असलेले ————— यांची महाराष्ट्र मूल्यवर्धित विक्रीकर कायदा, २००२ च्या कलम अन्वये व्यापारी म्हणून नोंदणी करण्यात आलेली आहे.

(१) धंद्याचे नाव /मालक :

(२) व्यापार /ब्रॅडचे नाव/नावे :

(३) धंद्याच्या मुख्य ठिकाणाचा पत्ता :

(४) घटना :

(५) धंद्याचे स्वरूप :

(६) धंद्याच्या अतिरिक्त ठिकाणांचा पत्ता :

(७) प्रमाणपत्र अंमलात येण्याचा दिनांक :

ठिकाण :

डेस्क आयडी

दिनांक :

नोंदणी अधिका-याची मुद्रा

नोंदणी अधिका-याची स्वाक्षरी

पदनाम

जोडपत्र :- (अतिरिक्त व्यवसायाचे ठिकाण २/३/४/५/६.....”

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

रा. द. भगत,
शासनाचे उप सचिव.

FINANCE DEPARTMENT

Madam Cama Road, Hutatma Rajguru Chowk,
Mantralaya, Mumbai 400 032, dated the 22nd April 2016

NOTIFICATION

MAHARASHTRA VALUE ADDED TAX ACT, 2002.

No. VAT.1516/CR-52/Taxation-1.— Whereas the Government of Maharashtra is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Maharashtra Value Added Tax Rules, 2005 and to dispense with the condition of previous publication thereof under the proviso to sub-section (4) of Section 83 of the Maharashtra Value Added Tax Act, 2002 (Mah. IX of 2005);

Now, therefore, in exercise of the powers conferred by sub-sections (1), (2) and (3) read with the proviso to sub-section (4) of Section 83 of the said Act, and of all other powers enabling it in this behalf, the Government of Maharashtra hereby, makes the following rules further to amend the Maharashtra Value Added Tax Rules, 2005, namely :—

1. (1) These rules may be called the Maharashtra Value Added Tax (2nd Amendment) Rules, 2016.

(2) They shall come into force with effect from the 1st April 2016.

2. In rule 2 of the Maharashtra Value Added Tax Rules, 2005 (hereinafter referred to as “the principal Rules”), in sub-rule (1), after clause (o), the following clause shall be added, namely :—

“(p) “website” means the website of the Department of Sales Tax i.e. www.mahavat.gov.in.”.

3. In rule 8 of the principal Rules,—

(1) in sub-rule (1), for the words and figures, “made in Form 101 to the registering authority,” the words and figures “submitted in Form 101 along with Form 105 wherever necessary as required by section 19, electronically on the website,-” shall be substituted ;

(2) in sub-rule (3), for the words, “submit it to the registering authority within whose jurisdiction the principal place of business is situated: “the words, “submit it electronically on the website.”, shall be substituted ;

(3) in sub-rule (4),—

(i) for the words, “signed and verified” the words “signed, verified and submitted electronically on the website” shall be substituted ;

(4) in sub-rule (5), after the words “to the registering authority”, the words “electronically on website” shall be inserted ;

(5) in sub-rule (7), for the words “furnish with the application a copy of his recent photograph in passport size”, the words “submit along with the application, a copy of his recent photograph in passport size electronically on website.” shall be substituted ;

(6) sub-rule (8) and sub-rule (11) shall be deleted ;

(7) in sub-rule (12) ,–

(a) the words “and shall submit the proof of the same to the registering authority at the time of making such application”, shall be deleted;

(b) for the proviso, the following proviso shall be substituted namely :–

“Provided that the persons, bodies and entities specified in paragraphs (i), (ii), (iii), (iv) and (v) of the Explanation to clause (8) of section 2 shall have Tax Deduction Account Number (TAN) under the Income Tax Act ,1961.”.

4. In rule 16 of the principal Rules,—

(1) in sub-rule (1), for the portion beginning with the words “made in Form 105” and ending with the words, “ to the registering authority” the words and figure “submitted in Form 105 electronically on website along with Form 101” shall be substituted ;

(2) in sub-rule (2),–

(a) for the word “sent” the words “ submitted electronically on website” shall be substituted ;

(b) after the words “or managers” the words “ or, as the case may be, an authorised person” shall be inserted.

5. In rule 17 of principal Rules, –

(1) in sub rule (1),–

(a) for the portion beginning with the words , “The Forms of returns” and ending with the words, “executive bond variety.” the following shall be substituted namely :–

“The Forms of returns shall be made available on the website in the electronic form.”;

(b) for Explanation II, the following Explanation shall be substituted namely:- “Explanation II :-For the purposes of this sub-rule, in the case of a dealer who is holding Certificate of Entitlement under any Package Scheme of Incentives except the Power Generation Promotion Policy, 1998, if he is otherwise liable to file return in Form 231,he shall, in addition to the return in Form 234 file the return in Form 231”;

(2) for sub-rule(2), the following sub-rule shall be substituted, namely :–

“(2) Every registered dealer, subject to the provisions of this rule, for the period starting on or after 1st April 2016 shall submit the return electronically as per the procedure made available on the website.”;

(3) in sub-rule (4), Explanation IV shall be deleted;

(4) after sub-rule (4), the following sub rule shall be inserted, namely :–

“(4A) Subject to the provisions of rule 18 and other provisions of this rule except sub-rule (4), for the period starting on or after 1st April 2016,

(a) every registered dealer –

(i) whose tax liability during the previous year had exceeded rupees ten lakhs or,

(ii) whose entitlement for refund during the previous year had exceeded rupees one crore,

shall file a monthly return within twentyone days from the end of the month to which the return relates ;

(b) any other registered dealer shall file a quarterly return within twentyone days from the end of the quarter to which the return relates ;

Provided that, the dealer covered under sub-clause (i), (ii) of clause (a) or, as the case may be clause(b),–

(i) not being the dealer who has opted wholly for the Composition Scheme provided under sub-section (1) and (2) of section 42 of the Act, and

(ii) who is not required to file an Audit Report as provided under section 61, shall, file the last monthly or, as the case may be, quarterly return on or before 21st April of the year succeeding the year to which such return relates, alongwith other details for entire year in Annexures appended to Form 704.

(c) The provisions of clause (e) of sub-rule (4) and Explanation I and II, of rule 17, shall *mutatis mutandis* apply to this sub-rule.”.

6. In rule 17A of principal Rules, after sub-rule (1), the following sub-rule shall be inserted, namely :—

“(1A) Whenever any application, declaration, annexure, appeal, memorandum, report of audit, return or any other document required under the Act is submitted electronically on the website, then such application, declaration, annexure, appeal, memorandum, report of audit, return or any other document shall be deemed to have been submitted to the registering authority having jurisdiction over the place of business or, as the case may be, over the principal place of business of the dealer, unless expressly provided for submission to the particular authority.”.

7. In rule 18 of principal Rules,—

(1) after sub rule (1), the following sub rule shall be inserted, namely :—

“(1A) Where a dealer who obtains registration under this Act on or after 1st April, 2016, and, –

(a) has not applied for the registration within the prescribed period, then for such unregistered period, the first return to be furnished by him shall be for the period from the date of first transaction of sales ,or, as the case may be, purchases to the end of the month in which such date occurs. Thereafter, he shall continue to file monthly returns till the month immediately before the month containing the date of effect of registration. The last return for such unregistered period shall be filed from the 1st day of the month containing the date of effect of registration to the date immediately before the date of effect of registration. Thereafter the first return for the registered period to be furnished by him shall be for the period from the date of effect of registration to the end of the month containing the said date of effect of registration and he shall continue to file monthly returns in respect of periods ending on or before the end of the year containing the said date of effect of registration.

(b) has applied for registration within the period specified in rule 8, then the first return to be furnished by him shall be for the period from the date of first transaction of sales ,or, as the case may be, purchases to the end of the month in which such date occurs. Thereafter, he shall continue to file monthly returns in respect of periods ending on or before the end of the year containing the said date of effect of registration.”;

(2) in sub-rule (2), after the words, bracket and figure, “in sub-rule (4)” the words, bracket, figure and alphabet, “or as the case may be, in sub-rule (4A)”, shall be inserted ;

(3) after sub-rule (2), the following sub-rule shall be inserted, namely :-

“(2A)Where the registration is cancelled with effect from 1st April 2016 or thereafter, then such dealer shall file other details for entire year or, as the case may be for the part of the year in the Annexures appended to Form 704 alongwith the last monthly or, as the case may be, quarterly return”;

(4) after sub-rule (3) the following sub-rule shall be added namely :-

“(3A) (a) A dealer to whom a Certificate of Entitlement (excluding the Certificate of Entitlement granted under the Power Generation Promotion Policy, 1998) has been granted for the purpose of availing of incentives by way of exemption from payment of tax, shall for the periods starting on or after 1st April 2016, file, —

(i) a return in a Form prescribed in rule 17 for the period beginning with the first day of the month or, as the case may be, first day of the quarter and ending with the date immediately preceding the date of effect of the said certificate,

(ii) thereafter he shall file monthly returns in Form 234 and accordingly the first return after obtaining the Certificate of Entitlement shall be filed from the date of effect of the said certificate to the end of the month.

Provided that, if the dealer has executed any works contract or has transferred the right to use any goods for any purpose or has part of the business under composition, then he shall notwithstanding anything contained in sub-rule (4A) of rule 17 also file a monthly return in Form 233 in respect of such activities in addition to the return in Form 234.

(iii) The last return shall be for the period beginning with the first date of the month and ending with the date on which the said certificate ceases to be valid.

(iv) The next immediate return shall be for the period commencing on the date immediately succeeding the date on which the said certificate ceases to be valid to the end of the month.

(v) For the balance period of the year, if any, he shall file monthly returns.

(vi) The periodicity of the returns for the immediately succeeding year shall be decided in accordance with rule 17 and for this purpose the provisions contained in sub-rule (4A) of rule 17 shall apply to such dealer as if the expression “tax liability” of the dealer included the cumulative quantum of benefits availed by the dealer.

(b) The provisions of clause (a) shall *mutatis mutandis* apply to a dealer to whom a Certificate of Entitlement by way of deferment of payment of tax has been granted.”.

8. In rule 41 of principal Rules, in the proviso to sub-rule (1), after the words, bracket and figure “sub-rule (4)” the words, bracket, figure and letter “or, as the case may be, sub-rule (4A)” shall be inserted.

9. In rule 45 of principal Rules, in sub-rule (4), after the words and figures, “specified in rule 17.” the words and figures, “For the periods starting on or after 1st April 2016, the dealer may get copy of the acknowledgement of the payment electronically.”, shall be added.

10. For the Form 102 appended to the principal Rules, the following Form shall be substituted, namely :-

“FORM - 102*(See rule 9)*

Certificate of Registration Under section 16 of
The Maharashtra Value Added Tax Act, 2002

Tax payer Identification Number
 (TIN)

This is to certify that,

engaged in business, whose details are given below is registered as dealer under section 16 of The Maharashtra Value Added Tax Act, 2002.

- (1) Name of the Business/Proprietor :-
- (2) Trade/Brand Name (s) :-
- (3) Address of the principal place of business :-
- (4) Constitution :-
- (5) Nature of business :-
- (6) Address of the additional place of business :-
- (7) Effective date of the Certificate :-

Place :

Desk ID

Date :	Seal of the Registration Authority	Signature of Registration Authority Designation
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Annexure :- (Additional POB 2/3/4/5/6.....).”.

By order and in the name of Governor of Maharashtra,

R. D. BHAGAT,
 Deputy Secretary to Government.